

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

ROW

CASE # C15-2014-0028
ROW ID# 11084107
TAX Roll # 0268130303

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 3707 Hidden Estates Dr, Austin TX 78727

llepore@gmail.com

LEGAL DESCRIPTION: Subdivision – Hidden Estates PHS2

Lot(s) 2 Block A Outlot _____ Division Hidden Estates PHS2

I/We Daniel & Lynn Lepore on behalf of myself/ourselves as authorized agent for

Daniel & Lynn Lepore affirm that on Jan 20, 2014

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☐ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☒ MAINTAIN

Request a change of rear lot setback from 20 feet to 11 feet to maintain a 20x30 work shed in my back yard. This shed replaced an existing 12x16 shed. The shed matches the house (paint, roof colors). Other orientations would have required removal of native oak trees (10+) & existing xeriscaping, negatively affecting the back yard character

in a Rural Route (RR) district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
Existing property features (pool, gardens, stone/mulched areas), native oak trees and neighboring lots / fence lines do not allow room for a 20 foot setback from back fence line

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
To maintain the 20 foot requirement from the back fence line would have required removal of native oak trees (10+) as well as xeriscaping & mulched areas which do not require watering.
- (b) The hardship is not general to the area in which the property is located because:
Most of the lots in Hidden Estates area are either larger in size and/or do not have situations involving existing native trees and extensive landscaping.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:
This plan preserves existing trees maintaining the shaded character of our back yard and xeriscaping which aids water conservation. It also maintains a similar setback of sheds on east and west adjacent lots. The east setback requirement is maintained providing required space from the neighbors shed at 3701 Hidden Estates. The 6 foot privacy fence and ample canopy from surrounding trees provide limited view from neighboring yards.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:
No parking is required and there is no road to the work shed.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

No parking is required and there is no road to the work shed

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

No parking is required and there is no road to the work shed

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

No parking is required and there is no road to the work shed

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed *Daniel H. Lepore* Mail Address 3707 Hidden Estates Dr

City, State & Zip Austin Texas 78727

Printed DANIEL H. LEPORE Phone 512-255-6460 Date Jan 20, 2014

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed *Daniel H. Lepore* Mail Address 3707 Hidden Estates Dr

City, State & Zip Austin Texas 78727

Printed DANIEL H. LEPORE Phone 512-255-6560 Date Jan 20, 2014

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning, All other zonings) - See *Current Fee Schedule for Applicable Fees* (<http://www.austintexas.gov/department/fees>)
- (4) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

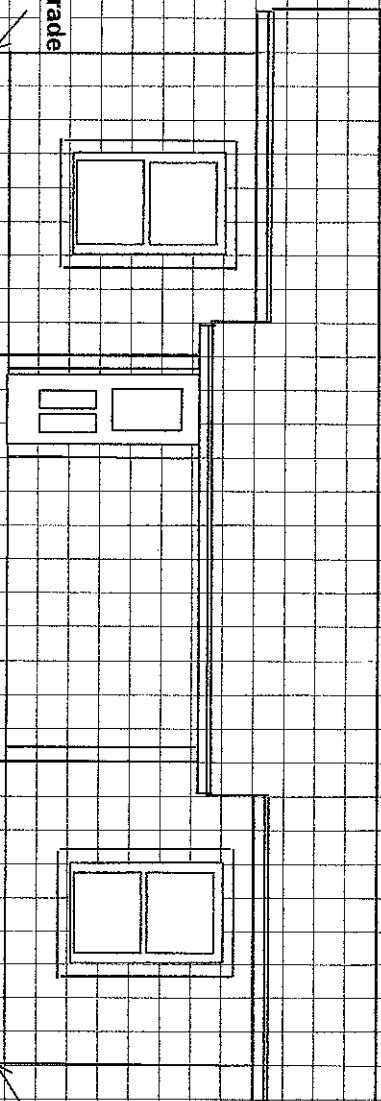
Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.
- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

Lepore Work Shed
3707 Hidden Estates Drive
Austin, TX 78727



8" top of slab to grade

4" top of slab to grade

Front (North) = 30 feet

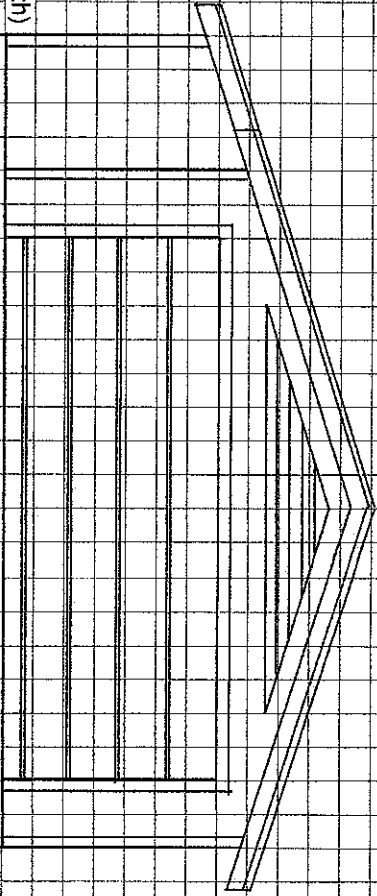
Porch = 4' x 12'

Shed height = 12.5 feet above grade at highest point

Sheet 1

Work Shed	
Front View - North	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'

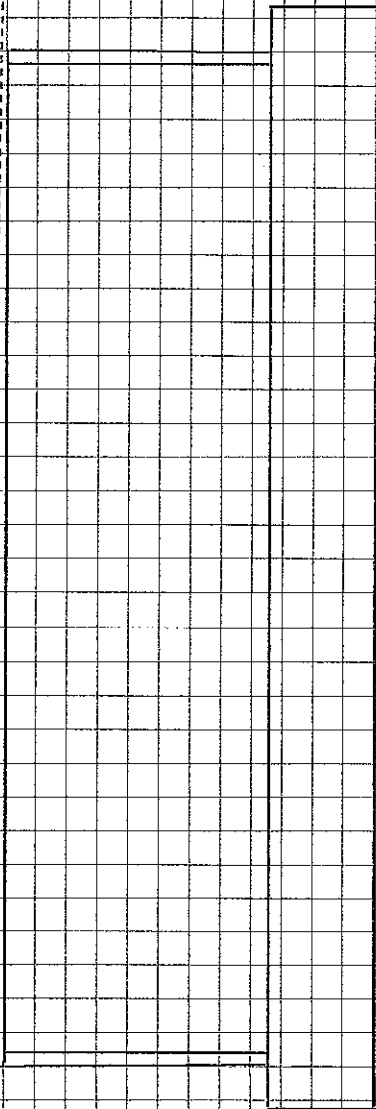
4x12' Porch (Front-North)



Side (West) = 20 feet; Garage Door 16 feet by 7 feet

Sheet 2

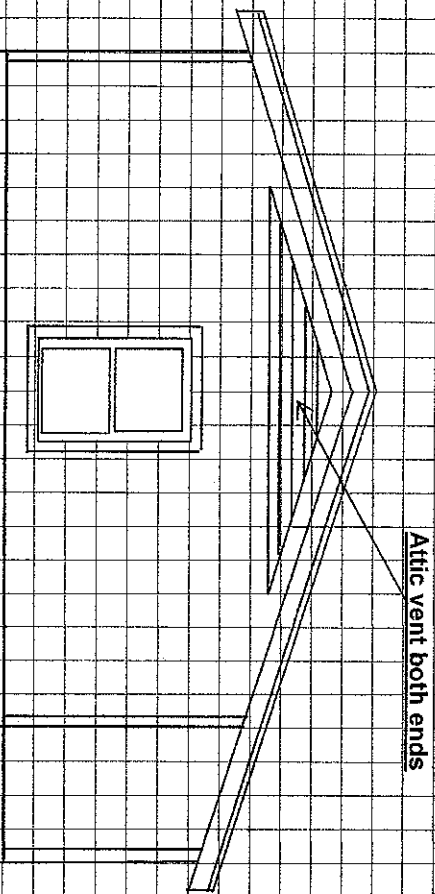
Work Shed	
Side View - West	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'



Rear (South) = 30 feet

Sheet 3

Work Shed	
Rear View - South	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'



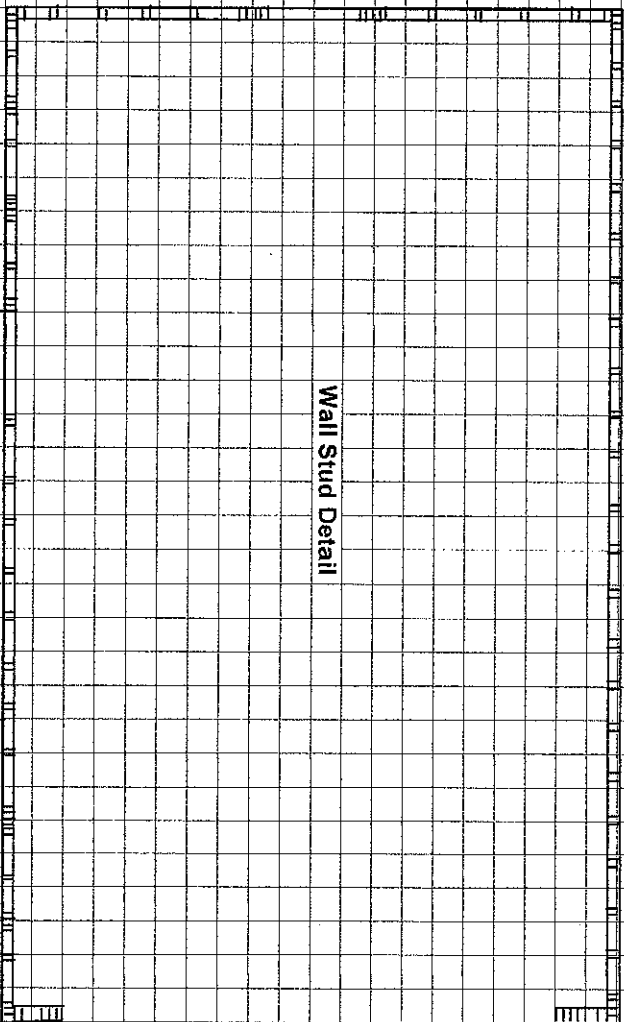
Side (East) = 20 feet

4'x12' Porch (Front-North)

Sheet 4

Work Shed	
Side View - East	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'

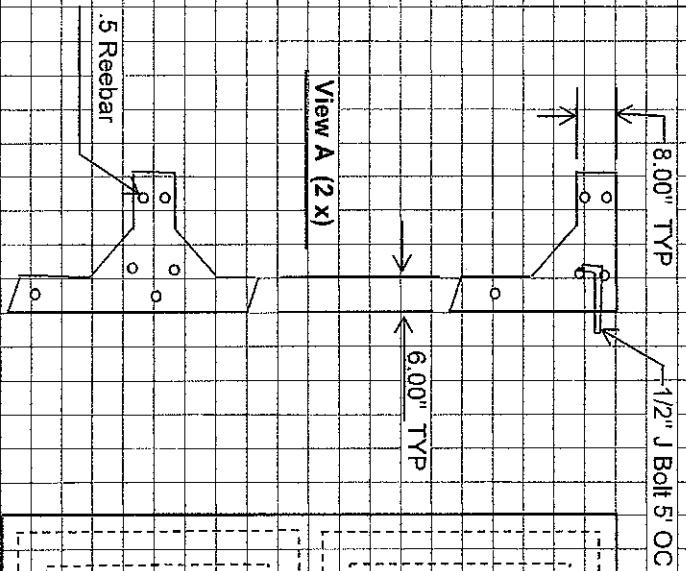
Wall Stud Detail



4x12 Porch

Sheet 5

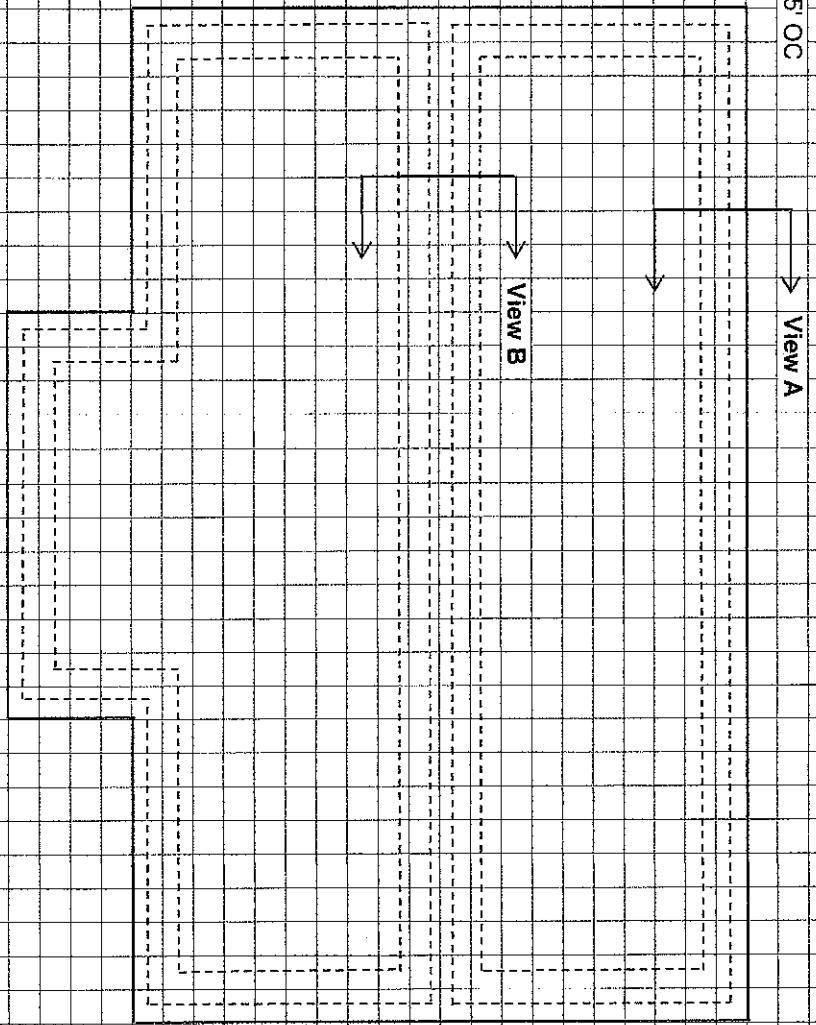
Work Shed	
2x4 Wall Stud Layout	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'



View A (2 x)

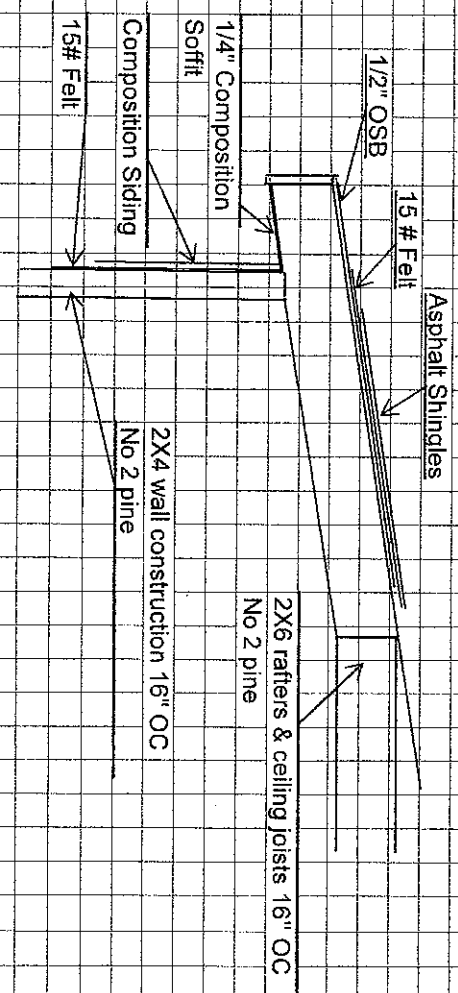
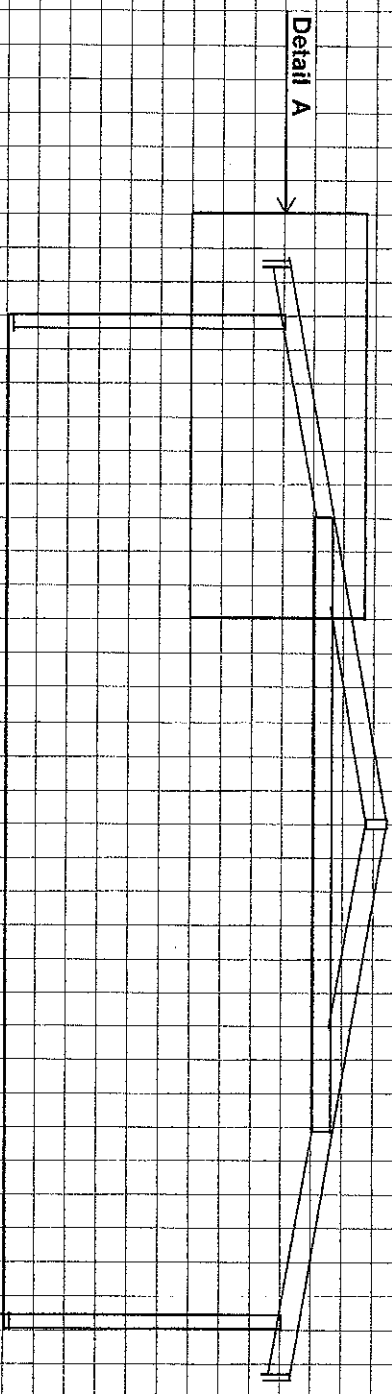
View B (2x)

- Notes:**
1. Concrete mix (1-2-4) 4 Sack
 2. Waterproofing 6 mill black poly
 3. Reinforcing .5 rebar 24" OC



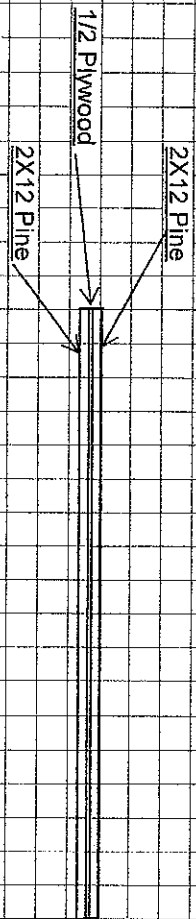
Sheet 6

Work Shed	
Slab / Rebar Layout	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'

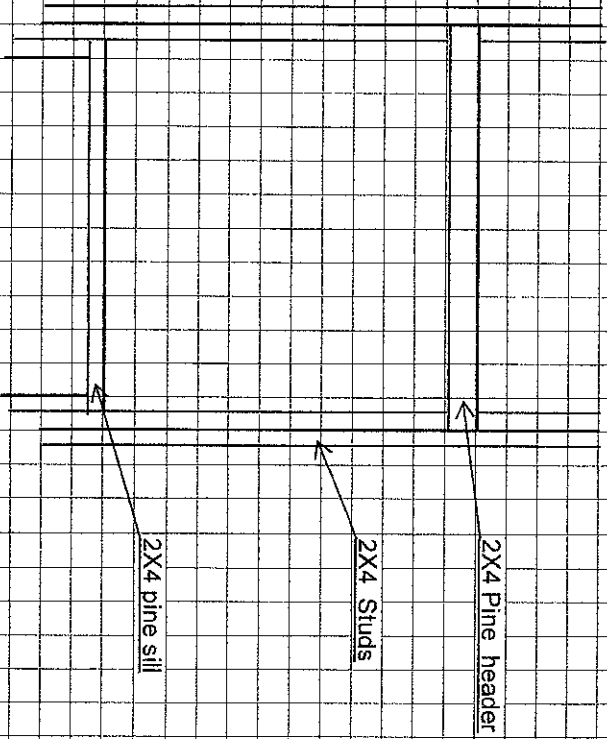


Work Shed	
Rafter View	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'

Sheet 7



Garage door header detail

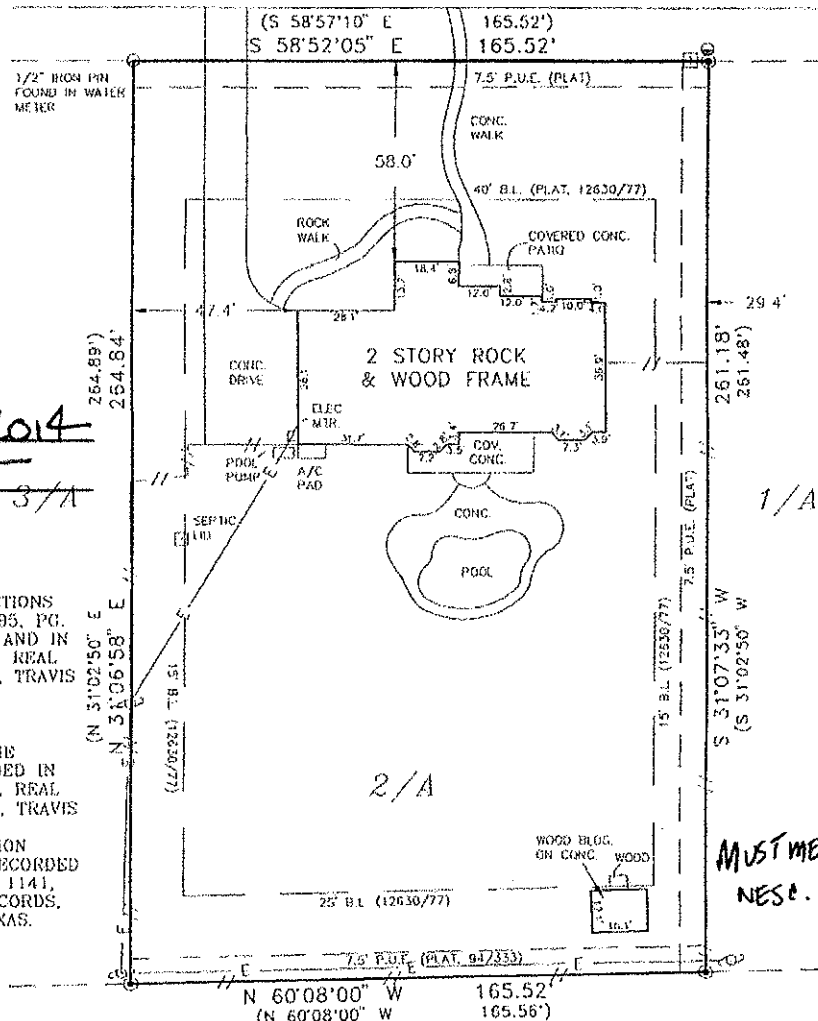


Sheet 8

Work Shed	
Garage Door Header	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1
Scale:	1/4" = 1'

SCALE: 1" = 40'

HIDDEN ESTATES DRIVE



DATE: January 23, 2014
Sam Kline 3/A

1. SUBJECT TO RESTRICTIONS
RECORDED IN VOL. 95, PG.
28, PLAT RECORDS, AND IN
VOL. 12630, PG. 77, REAL
PROPERTY RECORDS, TRAVIS
COUNTY, TEXAS.
2. SUBJECT TO TERMS,
CONDITIONS, AND
STIPULATIONS IN THE
AGREEMENT RECORDED IN
VOL. 12433, PG. 89, REAL
PROPERTY RECORDS, TRAVIS
COUNTY, TEXAS.
3. SUBJECT TO POLLUTION
ABATEMENT PLAN RECORDED
IN VOL. 12448, PG. 1141,
REAL PROPERTY RECORDS,
TRAVIS COUNTY, TEXAS.

MUST MEET OSHA, A/E &
NEC. CLEARANCE
Requirements

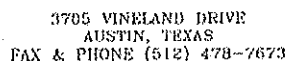
Ek.
1-23-2013

1) Any Removal

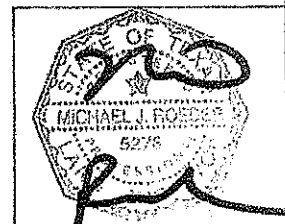
exclusively.

RELOCATION OF
EXISTING FACILITIES
WILL BE AT OWNERS
/APPLICANTS EXPENSE

as shown on Community Panel Number 480624 0155 E
of the FLOOD INSURANCE RATE MAP prepared for City of Austin
by the Federal Insurance Administration Department, H.U.D.
Effective Date: June 16, 1993



- ☐ 1/2" IRON PIVT BOUND
- ☐ 1/2" IRON PIPE FOUND
- ☐ IRON FOUND
- ☐ TYPHON POLE
- ☐ T GUY WIRE
- ☐ FIRE HYDRANT
- ☐ WATER METER
- ☐ P.V.C. RISER
- ☐ SANITARY SEWER MANHOLE
- ☐ PHONE PLUGSIAL
- ☐ CONC. PAD WITH ELEC.
- ☐ C.A.T.V. PEDESTAL
- ☐ WOODEN FENCE
- ☐ WOODEN FENCE
- ☐ CHAIN LINK FENCE
- ☐ OVERHEAD ELECTRIC WIR
- () RECORD REFORMATION



UPDATED: 11-25-02
DATE: 8-9-01

9
14010486

Copy
of

WARRANTY DEED WITH VENDOR'S LIEN

ORIGINAL

THE STATE OF TEXAS

)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

)

THAT BRYAN N. BURKE, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by DANIEL H. LEPORE AND WIFE, LYNN P. LEPORE, hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by said Grantee of one certain Promissory Note in the principal sum of \$450,000.00, of even date herewith, payable to the order of SUNSHINE MORTGAGE CORPORATION, hereinafter called "Mortgagee", bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to DANNY GARCIA, Trustee; and

WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as included in the above-described Note, said Vendor's Lien against said property securing the payment of said Note is hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

LOT 2, BLOCK A, HIDDEN ESTATES PHASE TWO, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 95, PAGE 28, OR THE PLAT RECORDS AND CORRECTED IN VOLUME 12440, PAGE 76, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

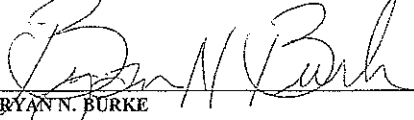
Taxes for the current year have been prorated and their payment is assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words "heirs, executors and administrators" or "heirs and assigns" shall, with respect to such corporation or trustee, be construed to mean "successors and assigns".

It is expressly agreed that the Vendor's Lien is retained in favor of the payee of said Note against the above-described property, premises and improvements, until said Note and all interest thereon shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

EXECUTED this 14TH day of AUGUST, 2001.

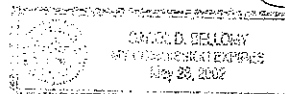

BRYAN N. BURKE

STATE OF Texas, COUNTY OF Travis ss:

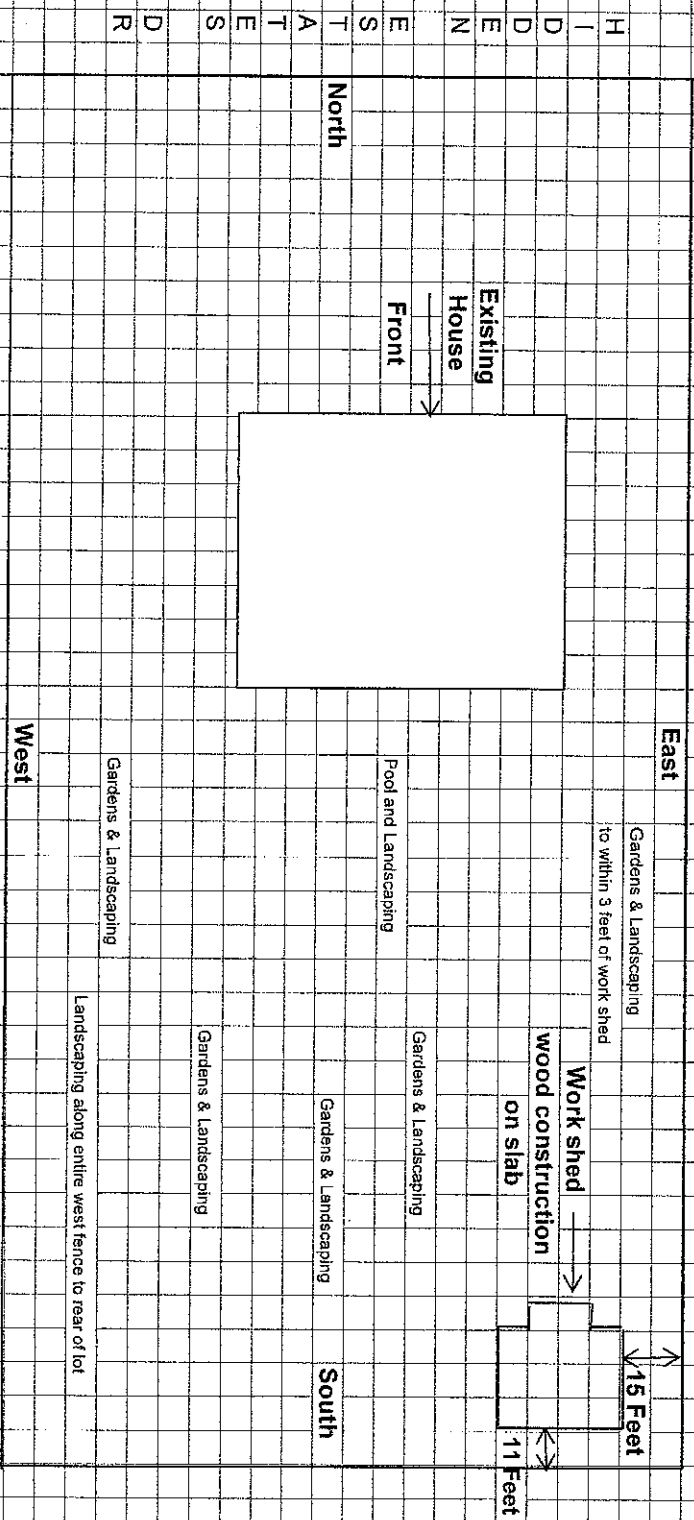
This instrument was acknowledged before me on this 14 day of August, 2001, by BRYAN N. BURKE.


NOTARY PUBLIC

GRANTEE'S ADDRESS:
3707 HIDDEN ESTATES DRIVE
AUSTIN, TEXAS 78727



PLOT VIEW



H I D D E N S E T A T E S D R

Sheet 9

Work Shed	
Plot View	
Date:	1/8/2014
Drawn by:	DHL
Rev:	1

ELECTRIC SERVICE
POINT OF ATTACHMENT
WILL BE ABOVE THIS MARKER

Address: 3707 HIDDEN ESTATES

Remarks

LEFT REAR MAST 12 1/2'

Height above existing grade 12 1/2'

- ☐ Call Service Dispatch @ 512-505-7620 for appt.
- ☐ OK to reconnect with AE Approved Connections
- ☐ Tree trimming required by customer
- ☐ Need to contact Spot Dept. @ 512-505-7500
- ☐ Job Requires Design
- ☐ North Design @ 512-505-7206
- ☐ South Design @ 512-505-7500

Date: 12/3/13

By: JCR

512
Phone: 505 7673



Rev. 10/11



Alexander Consulting Engineers, Inc.

F-1967

January 7, 2013

Daniel Lepore
3707 Hidden Estates Dr.
Austin, TX 78727

Re: 3707 Hidden Estates Dr.
Lot 2 Blk A
Hidden Estates, Ph. 2
Austin, TX

Mr. Austin:

At your request, our engineering office inspected the site at the above address. The purpose of our inspection was to evaluate the foundation system of the small work shed at the back of the property. We reviewed photographs of the foundation construction and visibly inspected the foundation system. Based on our visual observations and review, it is our opinion that the foundation system for the small work shed is in good structural condition and adequate for its intended function.

Please contact our office if you have any further questions or concerns.

Sincerely,

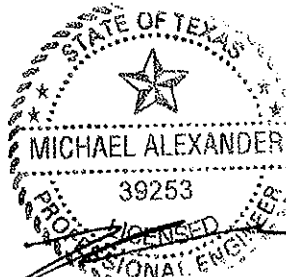
A handwritten signature in dark ink, appearing to read "Michael Alexander", with a long horizontal flourish extending to the right.

Michael Alexander, P.E.

A handwritten signature in dark ink, appearing to read "Joe Quintanilla", with a long horizontal flourish extending to the right.

Joe Quintanilla
Engineer

c:\reports\14017001.doc



1-7-14

PROFESSIONAL DESIGN GROUP (PDG)

2525 Wallingwood Drive
Austin, TX 78746-6928

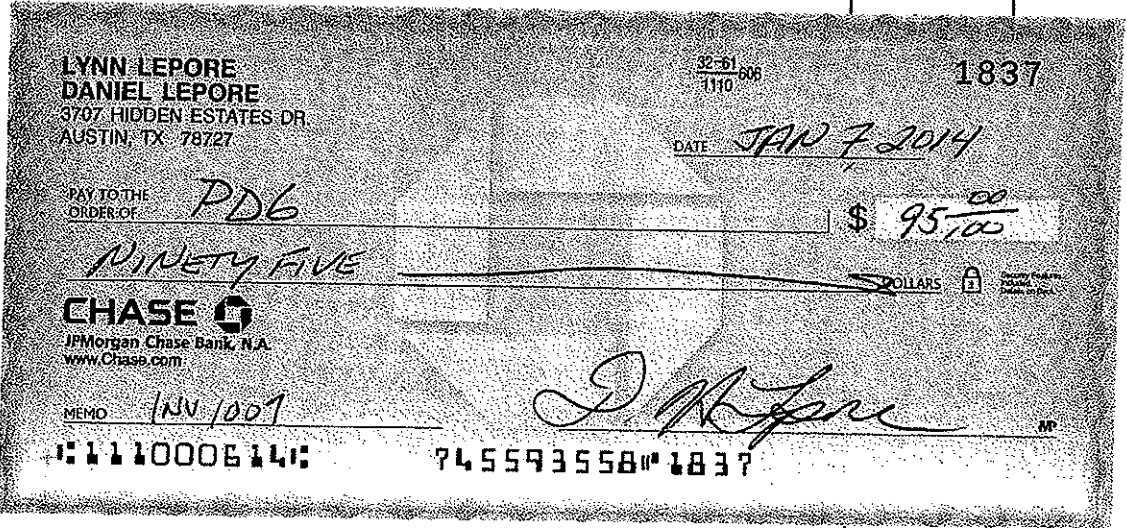
INVOICE

DATE	INVOICE NO.
1/6/2014	1007

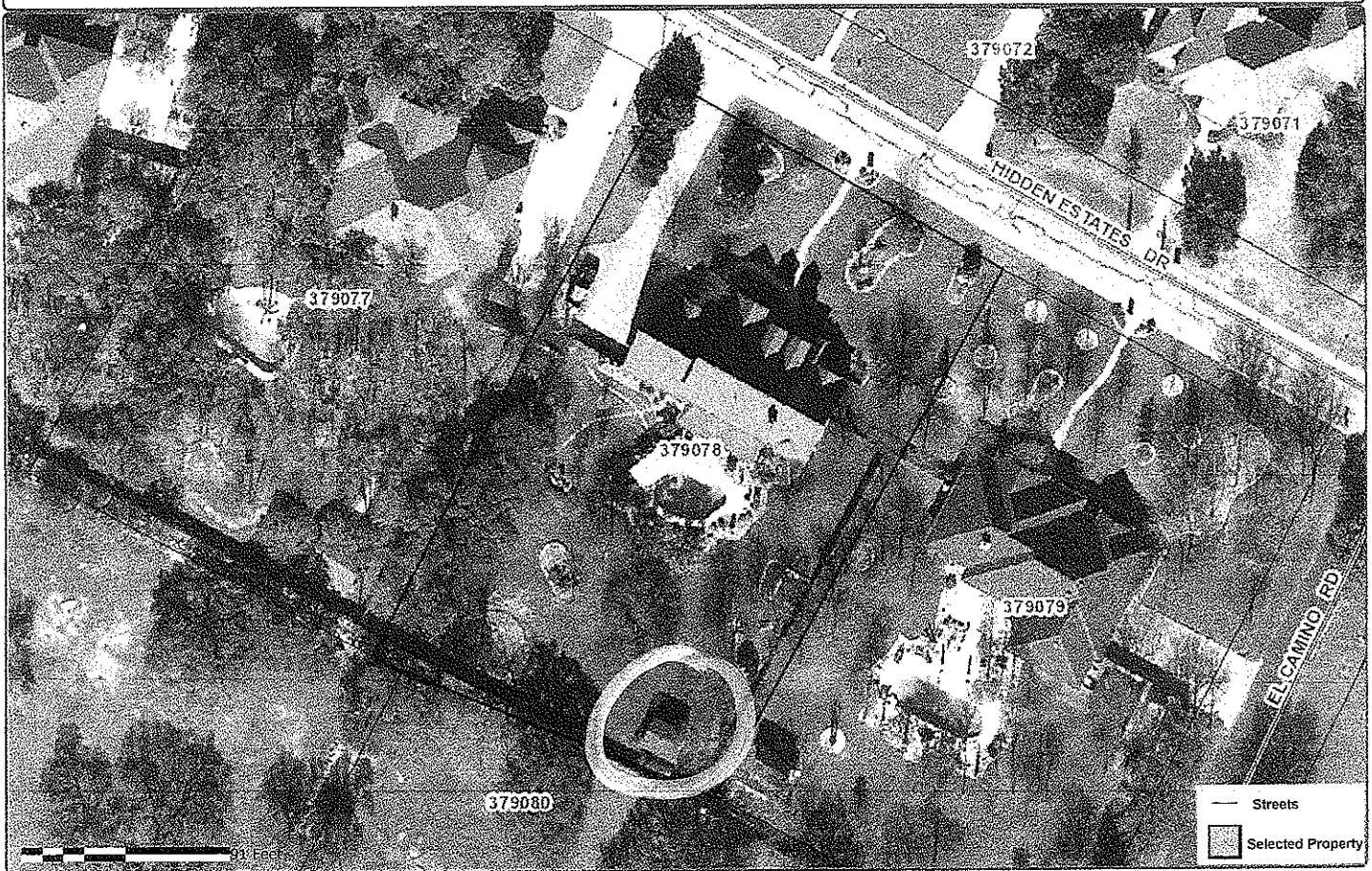
BILL TO
DANIEL LEPORE 3707 HIDDEN ESTATES DR AUSTIN, TX 78727-1828

E-mail
pdgeng@sbcglobal.net
Phone #
512/457-0344

P.O. NO.	TERMS

DESCRIPTION	QTY	RATE	AMOUNT
3707 HIDDEN ESTATES DR LOT 2 BLK A AUSTIN, TX Engineer @ \$95/Hour: 01/07/14 SLAB INSP JQ 14017001 LTR	1	95.00	95.00
			
INVOICE & ENGINEER LETTER EMAILED			Total \$95.00

Travis CAD - Map of Property ID 379078 for Year 2013



Property Details

Account

Property ID: 379078
Geo ID: 0268130303
Type: Real

Legal Description: LOT 2 BLK A HIDDEN ESTATES PHS 2

Location

Situs Address: 3707 HIDDEN ESTATES DR TX 78727
Neighborhood: VT544
Mapsc: 466A
Jurisdictions: 0A, 01, 02, 03, 2J, 68

Owner

Owner Name: LEPORE DANIEL H & LYNN P
Mailing Address: , 3707 HIDDEN ESTATES DR, , AUSTIN, TX 78727-1828

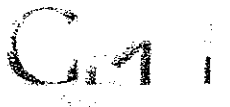
Property

Appraised Value: \$641,478.00

<http://propaccess.traviscad.org/Map/View/Map/1/379078/2013>

powered by
PropertyACCESS
www.trueautomation.com

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.



Lynn Lepore <llepore@gmail.com>

New Work Shed in Lepore's Yard

Lynn Lepore <llepore@gmail.com>
To: Dan Lepore <dlepore@gmail.com>
Cc: Lynn Lepore <llepore@gmail.com>

Mon, Feb 3, 2014 at 3:49 PM

Dan -

Here are the approval letters from our neighbors who surround our property and can see the shed.

1. Maury and Deb Hafernicks - West side of our property
2. Dean and Sally Busboom - Behind our property
3. Kim A. Eckert and Gilbert Cantu, Jr - East side of our property

Lynn

----- Forwarded message -----

From: **Maury Hafernicks** <maury@austindental.com>
Date: Fri, Jan 31, 2014 at 10:05 PM
Subject: Re: Fwd: New Work Shed in Lepore's Yard
To: Lynn Lepore <llepore@gmail.com>

Lynn,
We have no issues with the location or any thing else in regards to the shed on your property.

Maury and Debbie Hafernicks
3801 Hidden Estates Drive
Austin, Texas 78727

----- Forwarded message -----

From: **Dean Busboom** <dbusboom@austin.rr.com>
Date: Fri, Jan 31, 2014 at 10:57 PM
Subject: Re: New Work Shed in Lepore's Yard
To: Lynn Lepore <llepore@gmail.com>

Hi Dan and Lynn:

Sally and I approve of your new building. It looks great! We are neighbors on the back side of your lot.

Dean and Sally Busboom
13000 El Camino Rd
Austin, TX. 78727
512-255-6138 (H)

----- Forwarded message -----

From: **Kim Eckert** <keckert@gmail.com>

Date: Sat, Feb 1, 2014 at 9:25 AM
Subject: Re: New Work Shed in Lepore's Yard
To: Lynn Lepore <llepore@gmail.com>

We have no issues and I approve the work shed location, color, height, etc.,

Kim A. Eckert and Gilbert Cantu, Jr
3701 Hidden Estates Dr
Austin, TX 78727
(512) 716-0555

Original email:

From: Lynn Lepore <llepore@gmail.com>
Date: January 31, 2014 at 3:23:22 PM CST
To: dbusboom <dbusboom@austin.rr.com>, Debbie Hafernik <deb@austindental.com>, Kim Eckert <keckert@gmail.com>
Cc: Lynn Lepore <llepore@gmail.com>
Subject: New Work Shed in Lepore's Yard

As our immediate neighbors you are all aware that Dan recently replaced his old work shed with a new work shed. We are planning to put Electric in the new work shed. Since we had no room left in our main electric box we worked with City of Austin Energy to pursue a permit to put a new electric box on the telephone pole on the SE corner of the new work shed.

City of Austin Energy approved the electric drop however during that review, we found out we do not meet the 20 foot rear setback from the fence line (shed is 11 feet from the back fence). So we are applying for a rear setback variance from the City Variance Review Board. Once completed, we can apply for a building permit which is also required to put in the new electric box.

That said, the Variance Approval Board asked for homeowner association agreement for the new shed. Since we don't have a formal homeowners association, they asked us to solicit approval from our immediate neighbors who can see this shed hence this email to you.

I believe all of you have seen the work shed in various stages and the completed version as well. While we have spoken to all of you I still need verification of your position for the City of Austin.....So....

If you have issues, please call me at 512-255-6460 to discuss so we can correct them and move forward with the variance.

If you have no issues and you approve the work shed location, color, height, etc., please send me an email to that point so I can include it with our variance application. Please include your name, address and telephone number in case the city wants to contact you and note what location you live in relative to our house (i.e. NE Side, Behind us, etc.).

I appreciate your timely feedback so we can move the process along. You can EMAIL me at LLEPORE@GMAIL.COM or reply to this email directly. Thank you in advance

Lynn Lepore
3707 Hidden Estates Dr
Austin, TX 78727

Travis CAD - Map of Property ID 379078 for Year 2013



Property Details

Account

Property ID: 379078
Geo ID: 0268130303
Type: Real

Legal Description: LOT 2 BLK A HIDDEN ESTATES PHS 2

Location

Situs Address: 3707 HIDDEN ESTATES DR TX 78727
Neighborhood: VT544
Mapsc0: 466A
Jurisdictions: 0A, 01, 02, 03, 2J, 68

Owner

Owner Name: LEPORE DANIEL H & LYNN P
Mailing Address: , 3707 HIDDEN ESTATES DR, , AUSTIN, TX 78727-1828

Property

Appraised Value: \$641,478.00

<http://propaccess.traviscad.org/Map/View/Map/1/379078/2013>

powered by:
PropertyACCESS
www.trueautomation.com

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

